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REDACTED – FOR PUBLIC INSPECTION

September 27, 2012

By Hand Delivery

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**Re: WC Docket No. 12-233
WCB/Pricing No. 12-09
Direct Case of Tri-County Telephone Association, Inc.**

Dear Ms. Dortch:

John Staurulakis, Inc. hereby files the attached Direct Case on behalf of Tri-County Telephone Association, Inc. pursuant to the Commission's *Order Designating Issues for Investigation*, DA 12-1430, released August 31, 2012 in the above-referenced docket. The Direct Case is filed as confidential under the Commission's Protective Order.¹ Pursuant to the Protective Order, provided are one copy of the confidential version and two copies of the redacted version. The redacted version has also been filed on the Electronic Comment Filing System.

Please direct any questions regarding this filing to the undersigned.

Sincerely,

A handwritten signature in black ink that reads 'John Kuykendall'.

John Kuykendall
Vice President
301-459-7590
jkuykendall@jsitel.com

Attachment

cc: Robin Cohn, Pricing Policy Division, via email.

¹ See *In the Matter of Investigation of Certain 2012 Annual Access Tariffs*, WC Docket No. 12-233, WCB/Pricing File No. 12-09, Protective Order, DA 12-1518, rel. Sept. 21, 2012.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	WC Docket No. 12-233
Investigation of Certain 2012 Annual)	
Access Tariffs)	WCB/Pricing No. 12-09
)	

**DIRECT CASE OF
TRI COUNTY TELEPHONE ASSOCIATION, INC.**

Tri County Telephone Association, Inc., (“Tri County”) pursuant to the August 31, 2012 Designation Order,¹ hereby files its Direct Case in the above-referenced matter.

I. INTRODUCTION

On June 18, 2012, Tri County Telephone Association, Inc., (alternatively “Tri County” or “Company”), through its consultant John Staurulakis, Inc. (“JSI”) filed under Transmittal No. 165 of the John Staurulakis, Inc. Tariff F.C.C. No. 1 (“JSI Tariff”) revisions in accordance with the Commission’s March 28, 2012 release entitled In the Matter of July 3, 2012 Annual Access Charge Tariff Filings, WCB/Pricing File No. 12-07, Order, DA 12-482 (“June 18th filing”). Tri County is an Issuing Carrier of the JSI Tariff.

Tri County elected to file an Access Recovery Charge (“ARC”) pursuant to Section 1.917(e), to be effective July 3, 2012, and a Connect America Fund (“CAF”) election pursuant to Section 51.917(f). The Company made the appropriate filing on June 18, 2012. On July 2, 2012, the Wireline Competition Bureau released an Order that suspended for one day and set for investigation the ARC rates contained in the 2012 Annual Access Tariff filings of all issuing incumbent local exchange carriers (“ILECs”)

¹ Investigation of Certain 2012 Annual Access Tariffs, WC Docket No. 12-233, WCB/Pricing No. 12-09, *Order Designating Issues for Investigation*, DA 12-1430 (rel. August 31, 2012) (“Designation Order”).

that charged an ARC, including those filed on behalf of Tri County. Pursuant to the *Designation Order*, Tri County hereby submits the required information and demonstrates that in light of the adjustments discussed in this Direct Case, Tri County's ARC rates are just and reasonable.

The financial information presented in this Direct Case as Exhibit 1, the 2012 ROR ILEC Interstate Rates Worksheet and the 2012 ROR ILEC Intrastate Rates Worksheet,² is confidential and is being submitted with this Direct Case in both confidential and redacted versions. This revised financial information will also be filed with USAC as directed by the *Designation Order*.

Tri County is also filing the appropriate certifications with this Direct Case indicating that this filing is true and correct to the best of its knowledge, that it was not seeking duplicative recovery, and that it complied with sections 51.917(d), 51.917(e), and 51.917(f) of the Commission's rules.³ These certifications are being filed in support of the revised Tariff Review Plan information being filed with the Commission in conjunction with this Direct Case.

II. ISSUES DESIGNATED FOR INVESTIGATION

A. Whether LEC has Reasonably Determined the Amount of its Base Period Revenue

1. Fiscal Year 2011 Revenue Determination

² Also referred to as the Tariff Review Plan or financial information.

³ See 47 C.F.R. §§ 1.16 (addressing unsworn declarations under penalty of perjury in lieu of affidavits); 51.917(d)(1)(vii) (requiring annual certification from Rate-of-Return carriers obtaining Eligible Recovery that no duplicative recovery is sought); and 51.917(f)(3) (stating that "A Rate-of-Return carrier that elects to receive CAF ICC support must certify with its 2012 annual access tariff filing and on April 1st of each subsequent year that it has complied with paragraphs (d) and (e), and, after doing so, is eligible to receive the CAF ICC support requested pursuant to paragraph (f) of this section").

A rate-of-return Local Exchange Carrier's ("LEC's") Base Period revenue is made up of three components: 1) its 2011 Interstate Switched Access Revenue Requirement; 2) Fiscal Year 2011 revenues from rate elements included in the definition of Transitional Intrastate Access Service received by March 31, 2012; and 3) Fiscal Year 2011 reciprocal compensation revenues received by March 31, 2012, less Fiscal Year 2011 reciprocal compensation payments made by March 31, 2012 (net reciprocal compensation revenues). Base Period Revenue also includes revenues from non-recurring charges associated with the switched access services in question.

Tri County bills its carrier access bills ("CABs") on a mid-month cycle. Consequently, intrastate terminating billing usage reflected in the June 18th filing for Tri County was based on the time period from August 21, 2010 through August 20, 2011 and not the October 1, 2010 through September 30, 2011 Fiscal Year put forth by the Commission. The CABs are used to ensure that the revenues are for services provided during Fiscal Year 2011, eliminate billed revenues not related to services provided such as late fees which are identified separately on the CABs and to make certain that billed revenues were collected by March 31, 2012.

Please reference Exhibit 1 which reflects the intrastate terminating billing usage "calendarized" to align with the October 2010 through September 2011 Fiscal Year. Tri County relied on its CABs to recast this information. Ultimately, the calendarized information did not cause a change in the ARC rates established by Tri County in the June 18th filing.

2. Non-recurring charges inclusions and eliminations

Tri County does not have any non-recurring charges associated with the services in question. As a result, Base Period Revenue is not impacted by non-recurring charges. Non-recurring charges not related to these services were also excluded from the billed revenues used in the June 18th filing and in this Direct Case.

B. Whether LEC has Reasonably Calculated its Required Intrastate Rate Reductions

Tri County has followed the appropriate procedure when determining its required intrastate rate reductions for the purposes of the June 18th filing, and for this Direct Case, and is not subject to review of this issue as outlined in the Commission's *Designation Order*.

C. Whether LEC has Reasonably Estimated its Projected Interstate and Intrastate Switched Access Demand

LECs were directed to use existing demand estimation methods to project demand for the 2012-2013 tariff period. In calculating the Eligible Recovery, a LEC must also subtract certain projected intrastate and interstate access revenues from its Base Period.

Please reference Exhibit 1. As indicated on the 2012 ROR ILEC Interstate Rates Worksheet, the LSS amount reflected in cell F-7 is [REDACTED] and the projected annual percentage rate of demand change reflected in the calculation of the amount in cell F-10 is -8.9 percent. As indicated on the 2012 ROR ILEC Intrastate Rates Worksheet, the projected annual percentage rate of demand change reflected in the calculation of the amount in cell G-9 is -5.71 percent.

This review indicates that Tri County’s projected interstate and/or intrastate demand loss is less than an annualized rate of fifteen percent. Accordingly, Tri County falls within the “safe harbor” of fifteen percent and no further action is warranted.

D. Whether NECA’s Allocation of Projected Pool Interstate Switched Access Revenues Based on Projected Switched Access Billed Revenues was Reasonable

Not applicable to Tri County Telephone Association, Inc.

E. Whether the Suspended Access Recovery Charge Rates are Just and Reasonable and, if not, the Process for Requiring Refunds

Please reference Exhibit 2 which is a Table reflecting Tri County’s filed ARC rates and the ARC rates supported by this Direct Case. In this Direct Case, Tri County reaffirms the ARC rates that were established in the June 18th filing and asserts that the ARC rates established in the June 18th filing were just and reasonable. Tri County is also filing Exhibit 3 with this Direct Case, which is the completed Tariff Review Plan showing the calculation of its ARC rates. In light of the fact that no changes are being proposed to the ARC rates calculations, this Tariff Review Plan will not be re-filed and Tri County will not be filing revised ARC rates with the Commission in conjunction with this Direct Case.

III. CONCLUSION

Tri County presents this Direct Case in compliance with the aforementioned August 31, 2012 *Designation Order*. Tri County has reasonably determined the amount of its Base Period Revenue, reasonably calculated its required intrastate rate reductions, and reasonably estimated its projected interstate and intrastate switched access demand.

Accordingly, and in light of the adjustments described in this Direct Case, Tri County's suspended ARC rates are just and reasonable and are reaffirmed by this Direct Case.

Respectfully submitted,

September 27, 2012

Tri County Telephone Association, Inc.

/s/ Chris Davidson
Chris Davidson, CEO
405 South 4th Street
P.O. Box 310
Basin, Wyoming 82410

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EXHIBIT 1

- 2012 ROR ILEC Interstate Rates Worksheet
- 2012 ROR ILEC Intrastate Rates Worksheet

	A	B	C	D	E	F	G	H
1	Filing Date: June 18, 2012							
2	Filing Entity: Tri County Telephone Assoc.							
3	Transmittal Number:							
4	COSA: 512296							
5								
6								
7	Most Recently Filed Interstate Switched Access Revenue Requirement					Input		
8	TY 2012-2013 Baseline Adjustment Factor (BAF)						0.95	
9	BAF X Most Recently Filed Interstate Switched Access Revenue Requirement					F7*F8		
10	Total TY 2012-2013 Expected Maximum Interstate Revenue					Sum of Col. H		
11	TY 2012-2013 Interstate Eligible Recovery					F9-F10		
12								
13								
14	Interstate Tariff Section	USOC	Interstate Switched Access Rate Element	Unit of Demand (e.g., MOU or DS1)	12/29/11 Interstate Rate	7/1/2012 Proposed Rate		
15	Input	Input	Input (Note 1)	Input	Input	Input		
16	** LOCAL SWITCHING **							
17	17.2.3(A)	n/a	Local Switching	MOU	0.00588128			
18								
19								
20								
21								
22	** INFORMATION **							
23	17.2.3(B)	n/a	Info Surcharge (Per 100 MOU)	MOU	0.03800000			
24								
25								
26								
27								
28	** TANDEM-SWITCHED TRANSPORT AND TANDEM **							
29	17.2.2	n/a	Tandem Switching Facility	MOU per Mile		0.00001966		
30	17.2.2	n/a	Tandem Switched Termination	MOU per Term		0.00102900		
31								
32								
33								
34	** SIGNALING FOR TANDEM SWITCHING **							
35								
36								
37								
38								
39								
40	** DIRECT-TRUNKED TRANSPORT **							
41	17.2.2	n/a	DIRECT TRANSPORT FAC	DS1's per Mile		5.21		
42	17.2.2	n/a	DIRECT TRANSPORT TERM	DS1's per Term		35.32		
43								
44								
45								
46	** DEDICATED SIGNALING TRANSPORT **							
47								
48								
49								
50								
51								
52	** ENTRANCE FACILITIES **							
53	17.2.2	n/a	ENTRANCE FACILITY-FG ABCD	DS1's		98.51		
54	17.2.2	n/a	ENTRANCE FACILITY-FG ABCD	VG 2 Wire		23.49		
55	17.2.2	n/a	ENTRANCE FACILITY-FG ABCD	VG 4 Wire		37.58		
56								
57								
58	** LINE INFORMATION DATABASE **							
59	17.2.2	n/a	800 QUERY-BASIC-FGD	Query's	0.000000	0.000000		
60	17.2.2	n/a	800 QUERY- VERTICAL-FGD	Query's	0.000000	0.000000		
61								
62								
63								
64	** BILLING NAME AND ADDRESS **							
65								
66								
67								
68								
69								
70								
71	Total TY 2012-2013 Expected Maximum Interstate Revenue (Sum of Col. H)							
72								
73								
74	Note 1: Enter one rate element per line under the relevant category. Insert rows as necessary.							

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EXHIBIT 2

Initial ARC Rate and Direct Case ARC Rate

Comparison Table

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TRI COUNTY TELEPHONE ASSOCIATION, INC.

Exhibit -2

Initial ARC Rate and Direct Case ARC Rate Comparison Table

	Initial ARC Rate	Direct Case ARC Rate
Primary Residential or Single Line Business End User Common Line Charge	\$0.50	\$0.50
Multi-Line Business End User Common Line Charge	\$1.00	\$1.00

***Excludes Lifeline Customers**

***Only applies to SAFETel rate plans**

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EXHIBIT 3

Tariff Review Plan

Calculation of ARC Rates

REDACTED VERSION FOR PUBLIC REVIEW

6/18/2012

Tri County Telephone Assoc. (WY)

Tri County Telephone Assoc. (WY)

ARCRCTRP-CAF-1

[illegible]

Filing Date (enter w/leading '): 6/18/2012
 Holding Company:
 Filing Name: Tri County Telephone Assoc. (WY)

ARCCTRP-CAF-2

Eligible Revenue - Current Yr Recovery

Maximum Imputed ARC Revenue

Tariffed ARC Revenue

Expected CAF ICC Support

\$ 278,999

Eligible Revenue - Current Yr Recovery

Tariffed ARC Revenue + Expected CAF ICC Support

Residential Rate Ceiling: (51.915(b)(12))

\$ 30.00

Maximum MLB SLC+ARC (51.915(e)(5)(iv))

\$ 12.20

Max ARC for current year: Res/SLB

\$ 0.50

Max ARC for current year: MLB

\$ 1.00

Totals

Exchange/RG

RESIDENCE / NP / BRI / SLB (excluding Lifeline)

MULTI-LINE BUSINESS

	Residential	RES/NP/BRI Current Year			SLB		MLB	MLB Curr. Yr.	NonCentrex	Centrex
	Total Rate	Maximum	Tariffed		Tariffed		Federal	Maximum	Tariffed	Tariffed
	Ceiling Chgs	ARC Rate	ARC Rate		ARC Rate		SLC	ARC Rate	ARC Rate	ARC Rate
Burlington - Traditional	\$ 39.62	\$ 0.50	\$ -			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Burlington - SAFETel Bundled	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Burlington - SAFETel	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Hamilton Dome - Traditional	\$ 39.62	\$ 0.50	\$ -			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Hamilton Dome - SAFETel Bundled	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Hamilton Dome - SAFETel	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Hyattville - Traditional	\$ 39.62	\$ 0.50	\$ -			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Hyattville - SAFETel Bundled	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Hyattville - SAFETel	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Ten Sleep - Traditional	\$ 39.62	\$ 0.50	\$ -			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Ten Sleep - SAFETel Bundled	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Ten Sleep - SAFETel	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Basin - Traditional	\$ 39.08	\$ 0.50	\$ -			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Basin -SAFETel Bundled	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Basin -SAFETel	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Greybull - Traditional	\$ 34.92	\$ 0.50	\$ -			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Greybull - SAFETel Bundled	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Greybull - SAFETel	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Meeteetse - Traditional	\$ 39.37	\$ 0.50	\$ -			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Meeteetse - SAFETel Bundled	\$ 22.67	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Meeteetse - SAFETel	\$ 22.67	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Clark - Traditional	\$ 39.08	\$ 0.50	\$ -			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Frannie - Traditional	\$ 39.62	\$ 0.50	\$ -			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Frannie - SAFETel Bundled	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Frannie - SAFETel	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Lovell - Traditional	\$ 38.28	\$ 0.50	\$ -			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Lovell - SAFETel Bundled	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Lovell - SAFETel	\$ 22.92	\$ 0.50	\$ 0.50			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
Warren - Traditional	\$ 39.08	\$ 0.50	\$ -			\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
SLB Total	\$ -	\$ 0.50	\$ 0.50	\$	0.50	\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00
MLB Total	\$ -	\$ 0.50	\$ 0.50	\$	0.50	\$	9.20	\$ 1.00	\$ 1.00	\$ 1.00

REDACTED VERSION FOR PUBLIC REVIEW

Filing Date (enter w/leading '):

ARCRCTRP-CAF-3

Holding Company:

Filing Name:

FOOTNOTES:

Clark and Warren are in MT so they have no WY state USF fees

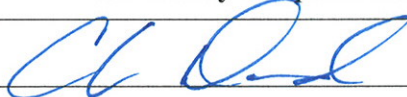
**Certification of Officer
to Authorize an Agent to File Data on Behalf of Reporting Carrier**

I certify that (Name of Agent) John Staurulakis, Inc. (JSI) is authorized to submit information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the data provided to the Authorized Agent; and, to the best of my knowledge, the actual data provided to the Authorized Agent are accurate.

Name of Authorized Agent John Staurulakis, Inc. (JSI)

Name of Reporting Carrier ***Tri County Telephone Association, Inc**

Signature of Authorized Officer



Date

9/21/12

Printed name of Authorized Officer Chris Davidson

Title or position of Authorized Officer CEO

Telephone number or Authorized Officer. (307)568-2427 ext. _ _ _ _

Study Area Code of Reporting Carrier

^512296

Filing Due Date for this form
(mm/dd/yyyy)

09/27/2012


Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

Certification of Officer as to the Accuracy of the CAF ICC Data Reported

I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the actual data reported; and, to the best of my knowledge, the information reported on this form is accurate.

Name of Reporting Carrier ***Tri County Telephone Association, Inc**

Signature of Authorized Officer



Date

9/21/12

Printed name of Authorized Officer

Chris Davidson

Title or position of Authorized Officer

CEO

Telephone number of Authorized Officer.

(307)568-2427 ext. _ _ _ _

Study Area Code of Reporting Carrier

^512296

Filing Due Date for this form
(mm/dd/yyyy)

09/27/2012

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Certification of Officer for Rate-of-Return Carrier Eligibility for CAF/ICC Recovery

I certify that I am an officer of the reporting carrier and that, to the best of my knowledge, the reporting carrier on this form certifies that it has complied with Eligible Recovery §51.917(d) and Access Recovery Charge §51.917(e) and is eligible to receive the CAF ICC support requested pursuant to §51.917(f).

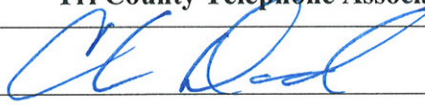
Name of Reporting Carrier		*Tri County Telephone Association, Inc	
Signature of Authorized Officer		Date 9/24/12	
Printed name of Authorized Officer		Chris Davidson	
Title or position of Authorized Officer		CEO	
Telephone number of Authorized Officer.		(307) 568-2427 ext. _ _ _ _	
Study Area Code of Reporting Carrier	^512296	Filing Due Date for this form (mm/dd/yyyy)	09/27/2012
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.			

Certification of Officer for Rate-of-Return Carrier Not Seeking Duplicative Recovery

I certify that I am an officer of the reporting carrier and that, to the best of my knowledge, the reporting carrier is not seeking duplicative recovery in the state jurisdiction for any Eligible Recovery subject to the recovery mechanism as per §51.917(d)(vii).

Name of Reporting Carrier ***Tri County Telephone Association, Inc.**

Signature of Authorized Officer



Date

9/21/12

Printed name of Authorized Officer

Chris Davidson

Title or position of Authorized Officer

CEO

Telephone number of Authorized Officer.

(307)568-2427 ext. _ _ _ _

Study Area Code of Reporting Carrier

^512296

Filing Due Date for this form
(mm/dd/yyyy)

09/27/2012

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.